

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LEROY FEARS,)	
)	
Plaintiff,)	Civil Action No. 10-315
)	
v.)	District Judge Terrence F. McVerry
)	
DR. JEFFREY A. BEARD; <i>ET AL.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER OF COURT

The above captioned case was removed from the Court of Common Pleas of Greene County on March 9, 2010 and was referred to a united states magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the local rules of court.

On November 2, 2012, the Magistrate Judge filed a Report and Recommendation (ECF No. 114) recommending that Defendants' Motion for Summary Judgment (ECF No. 95) be granted. Plaintiff filed Objections to the Report and Recommendation on November 16, 2012 (ECF No. 115). Plaintiff's Objections do not undermine the recommendation of the Magistrate Judge.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

AND NOW, this 26th day of November, 2012;

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment (ECF No. 95) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation of the Magistrate Judge (ECF. No. 114) dated November 2, 2012, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case **CLOSED**.

By the Court:

s/Terrence F. McVerry
United States District Judge

Leroy Fears
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